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FACSIMILE TRANSMISSION

DATE: September 18, 2006

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TO:

Name	Fax Number	Phone Number
Commissioner of Patents	571-273-8300	

FROM: Laura Zeman PHONE: 602.382.6377

RE: U.S. Serial No. 10/710,994

MESSAGE:

Petition Under 37 C.F.R. 1.28 (2 pgs.)

Thank you.
Laura Zeman

Please confirm receipt of this facsimile.

ORIGINAL DOCUMENT: Will not be sent NUMBER OF PAGES (Including Cover): 3 

CONFIRMATION NO.: CLIENT MATTER NO.: 41821.0939 

PLEASE RETURN TO: Kim Brown 16S21 PERSONAL FAX: No

REQUESTOR: Laura Zeman DIRECT LINE: 602.382.6377

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PAGE 1/3 * RCVD AT 9/18/2006 5:52:48 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/37 * DNIS:2738300 * CSID:602 382 6070 * DURATION (mm:ss):01-02

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CERTIFICATE OF TRANSMISSION PURSUANT TO 37 C.F.R. § 1.6(d)

I hereby certify that this correspondence, along with any accompanying documents, pursuant to 37 C.F.R. § 1.6(d), are being sent via facsimile to the U.S. Patent and Trademark Office to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 9/18/06By: Kim L. Brown

Signature of Person Depositing Facsimile

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

- PATENT -

Applicants:	Kemmons A. Tubbs Karl F. Gruber Randall W. Nelson	Docket No.:	41821.0939
Serial No.:	10/710,994	Confirmation No.:	4993
Filing Date:	August 16, 2004	Examiner:	Ernest G. Therkorn
Title:	AN INTEGRATED HIGH THROUGHPUT SYSTEM FOR THE ANALYSIS OF BIOMOLECULES	Art Unit:	1723

PETITION UNDER 37 C.F.R. 1.28

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Honorable Commissioner:

Under 37 C.F.R. 1.28, Intrinsic Bioprobes, Inc., the owner by assignment of U.S. Utility Patent Application No. 10/710,994, hereby requests that the United States Patent and Trademark Office refund the below-noted fees representing the difference between certain fees paid at a large entity rate and a corresponding small entity rate.

Application Serial No. 10/710,994

**RECEIVED
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On August 16, 2004, a number of divisional patent applications were filed electronically on behalf of Intrinsic Bioprobes, Inc., including the above-referenced application. Intrinsic Bioprobes, Inc. was incorrectly noted as a large entity on these applications. Applicant has recently paid the Issue Fees for these applications at the large entity rate and would request that the overpayment be credited to Snell & Wilmer's Deposit Account Number 19-2814. Applicant is a Small Entity Under 37 C.F.R. §1.27.

FEES PAID

The fees below were paid on June 16, 2006 at the large entity rate and should have been paid at the small entity rate:

<u>Fee Type</u>	<u>Amount Actually Paid</u>	<u>Small Entity Fee</u>	<u>Difference</u>
Issue Fee	\$1400	\$700	\$700
		TOTAL	\$700

We hereby authorize The Commissioner to credit this overpayment to Account No. 19-2814 for which purpose a duplicate copy of this sheet is attached..

Respectfully submitted,

Date: Sept 16, 2006By: John H. Platt 47,863 for
Laura J. Zeman
Reg. No. 36,078

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